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On behalf of the United States Bankruptcy Appellate Panel of the Tenth Circuit (BAP), I am pleased to provide this report on our fourth full year of operation.

The number of bankruptcy appeals in all participating BAP districts dropped by 8.2% from 1999. As a result, filings with the BAP also dropped slightly from last year, by 3.4%. The number of appellants electing to proceed before the BAP increased slightly to 58% up from 55% in 1999. From the BAP's inception in 1986 through the end of 2000, 42 BAP decisions have been appealed to the Tenth Circuit Court of Appeals. Of these, 37 have been concluded. 17 were decided on the merits and affirmed the decision of the BAP; the remaining 20 were dismissed. For the fourth year, the judges of the BAP have achieved their goal of disposing of most appeals within 60 days from submission, with a 2000 median "submission to disposition" time of 48 days, as compared to 51.5 days in 1999. The time span from the date the notice of appeal was filed with the Bankruptcy Court to the date the BAP entered a final judgment averaged 151.5 days.

The year brought the first major changes to the composition of the panel. With the May retirement from the bench of Bankruptcy Judge John K. Pearson, District of Kansas, the BAP lost one of its founding members. Shortly thereafter, Bankruptcy Judge Charles E. Matheson, District of Colorado, announced his retirement from the bench, as of the end of the year. While I am honored to congratulate them on the occasion of their retirement, we will miss their extensive contributions to the BAP. We wish them well in their future endeavors.

On June 6th, 2000, Chief Circuit Judge Seymour appointed the Honorable Terrence L. Michael, Chief Bankruptcy Judge for the Northern District of Oklahoma, to a five-year renewable term, replacing Judge Pearson on the panel. On December 7, 2000, Judge Seymour appointed the Honorable Marcia S. Krieger, Chief Bankruptcy Judge for the District of Colorado, to a five-year term beginning January 1, 2001, replacing Judge Matheson on the panel. We welcome our esteemed colleagues to the BAP.

The BAP is pleased to have launched its Internet and Intranet Web Sites. Both sites contain the BAP local rules, the Bankruptcy Rules, and the Federal Rules of Appellate Procedure; the official forms of the BAP; all filed decisions of the BAP; and general information regarding practice before the BAP. We are grateful for the assistance of the Circuit's Web Master in developing our sites.

During the initial three-year evaluation period of the BAP, the BAP Clerk's Office occupied temporary space borrowed from the Court of Appeals Clerk's Office. With

the permanent establishment of the BAP in the Tenth Circuit, the BAP Clerk's Office quickly outgrew the space. Through the indulgence of the Circuit, and with considerable assistance of the staff from the Office of the Circuit Executive, the BAP Clerk's Office was relocated to larger quarters. I would like to thank both the Court of Appeals for the use of their space during this period and the Circuit Executive's staff members who assisted in the move.

During the past year, the BAP Clerk's Office participated in the Work Measurement Initiative project, which resulted in revised Work Measurement Formulas for the judiciary. BAP Clerk's Office staff members visited other BAP Clerk's Offices sites to conduct work measurement studies. In March of 2000, the Appellate Clerk's Work Measurement Advisory Group proposed new staffing formulas for the Court of Appeals Clerk's Offices and the BAP Clerk's Offices. The result was a new formula that provides the BAP Clerk's Office with at least a minimal number of positions required to accomplish their mission without compromising performance.

In September of 2000, the BAP, together with the Court of Appeals, hosted an Appellate Clerk Workshop (Workshop), for representatives from the district and bankruptcy courts from within the Tenth Circuit. The theme of the Workshop was "Developing Solutions and Sharing Successful Approaches to Common Problems We All Encounter in the Appellate Process." Topics ranged from the concept of "trial vs. review" to the difference between an order and judgment and an opinion. Breakout sessions provided an opportunity for the participants to meet and share ideas or concerns. Judy Roberts and Robert Fagen, from the Federal Judicial Center, were on hand to conduct a session on communicating at a distance and effective practices. This was the first time nationally that representatives from all four court units gathered to discuss the appellate process, exchange information, and share ideas. We appreciate everyone's participation and look forward to the next Workshop.

It is my good fortune to have served as the Chief Judge of the BAP under the tutelage of former Chief Circuit Judge Stephanie K. Seymour. Judge Seymour's guidance and support of the BAP served as an inspiration to all. It is in this spirit that we now welcome Chief Circuit Judge Deanell Reece Tacha, and we look forward to serving under her leadership.

The many successful accomplishments of the BAP could not have been made without the considerable assistance and support of the judges of the Tenth Circuit Court of Appeals, the Office of the Circuit Executive, the Tenth Circuit Clerk's Office, and the District and Bankruptcy Court Judges and Clerk's Offices. As always, their advice and support have been very much appreciated.